

U.S. Web Receipt date: 08/12/2005

10743507 - GAU 63763

S/N 10/743,507

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert J. Sweeney et al. Examiner: Matthew F. DeSanto  
Serial No.: 10/743,507 Group Art Unit: 3763  
Filed: December 22, 2003 Docket: 279.238US2  
Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully requests that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Serial No :10/743,507

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Dkt: 279.238US2

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

ROBERT J. SWEENEY ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(847) 432-7302

Date 8-10-05

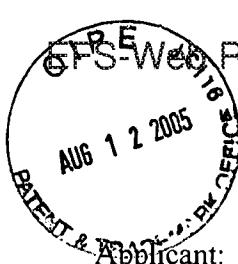
By J. Kevin Parker  
J. Kevin Parker  
Reg. No. 33,024

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10th day of August, 2005.

JAMES KANYSIK  
Name

James Kanysik  
Signature

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10743507 - GAU: 3763

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert J. Sweeney et al.  
Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE  
Docket No.: 279.238US2 Serial No.: 10/743,507  
Filed: December 22, 2003 Due Date: N/A  
Examiner: Matthew F. DeSanto Group Art Unit: 3763

## **MS Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

Return postcard.  
 Communication Concerning Related Applications (2 pgs.).  
 Information Disclosure Statement (2 pgs.), Form 1449 (6 pgs.), and copies of 16 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By: J. Kevin Parker  
Atty: J. Kevin Parker  
Reg. No. 33,024

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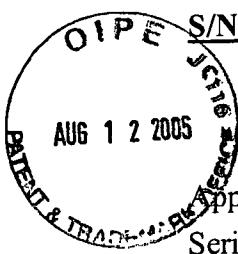
Name \_\_\_\_\_

~~Signature~~

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)

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Applicant: Robert J. Sweeney et al. Examiner: Matthew F. DeSanto  
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Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE

COMMUNICATION CONCERNING RELATED APPLICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date/Issue Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/740129 6,689,117	December 18, 2000	279.238US1	DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE
10/645,823 2005/0043675A1	August 21, 2003	279.606US1	METHOD AND APPARATUS FOR MODULATING CELLULAR METABOLISM DURING POST- ISCHEMIA OR HEART FAILURE

## COMMUNICATION CONCERNING RELATED APPLICATIONS

Serial Number: 10/743,507

Filing Date: December 22, 2003

Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE

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10/742,574  
2005/0137626A1

December 19, 2003

279.626US1

DRUG DELIVERY SYSTEM AND  
METHOD EMPLOYING EXTERNAL  
DRUG DELIVERY DEVICE IN  
CONJUNCTION WITH COMPUTER  
NETWORK

Continuations and divisionals may be later filed on the cases listed above, or cited to the Examiner in any previous Communication Concerning Related Applications. Applicants request that the Examiner review all continuations and divisionals of the above-listed or previously-cited patent applications before allowing the claims of the present patent application.

Respectfully submitted,

ROBERT J. SWEENEY ET AL.

By Applicants' Representatives,

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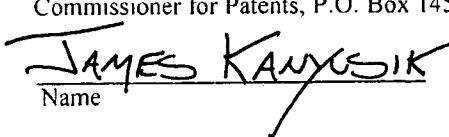
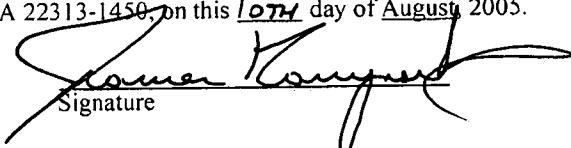
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By

  
J. Kevin Parker

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Name  
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AUG 17 2005

PTO/SB/08A(10-01)  
Approved for use through 10/31/2002. OMB 851-0031  
US Patent & Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(use as many sheets as necessary)
*Complete if Known*

<b>Application Number</b>	10/743,507
<b>Filing Date</b>	December 22, 2003
<b>First Named Inventor</b>	Sweeney, Robert
<b>Group Art Unit</b>	3763
<b>Examiner Name</b>	DeSanto, Matthew

Sheet 1 of 6

Attorney Docket No: 279.238US2

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-2002/0026228 A1	02/28/2002	Schauerte, P.	11/30/2000
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**EXAMINER****DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to:

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./

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		<b>Group Art Unit</b>	3763
		<b>Examiner Name</b>	DeSanto, Matthew
Sheet 2 of 6		Attorney Docket No: 279.238US2	

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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)  
 EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to  
 PTO. If a reference is considered, but citation is not in conformance, draw a line through the citation and initial here. To prevent check marks from appearing in English language translation, initial after each citation.

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		<b>Filing Date</b>	December 22, 2003
		<b>First Named Inventor</b>	Sweeney, Robert
		<b>Group Art Unit</b>	3763
		<b>Examiner Name</b>	DeSanto, Matthew
Sheet 3 of 6		Attorney Docket No: 279.238US2	

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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to  
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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		Complete if Known	
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		<b>Group Art Unit</b>	3763
		<b>Examiner Name</b>	DeSanto, Matthew
Sheet 4 of 6		Attorney Docket No: 279.238US2	

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US-6,285,898	09/04/2001	Ben-Haim, S	07/07/1998

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		<b>First Named Inventor</b>	Sweeney, Robert
		<b>Group Art Unit</b>	3763
		<b>Examiner Name</b>	DeSanto, Matthew
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